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**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF OREGON**

**PORTLAND DIVISION**

**GOLDEN TEMPLE OF OREGON, LLC**,  
an Oregon Limited Liability Company,

**Plaintiff,**

v.

**WAI LANA PRODUCTIONS, LLC**,  
a California limited liability company,

**Defendant,**

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Case No. 3:09-CV-902-KI

**ANSWER TO CROSS-CLAIM BY  
BIBIJI INDERJIT KAUR PURI**

**WAI LANA PRODUCTIONS, LLC,**  
a California limited liability company,

**Counterclaim/Interpleader-Plaintiff,**

v.

**GOLDEN TEMPLE OF OREGON, LLC,**  
an Oregon Limited Liability Company,

**Counterclaim/Interpleader-Defendant,**

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**WAI LANA PRODUCTIONS, LLC,**  
a California limited liability company,

**Cross-claim/Interpleader-Plaintiff,**

v.

**BIBIJI INDERJIT KAUR PURI,** an  
individual,

**Cross Claim/Interpleader-Defendant,**

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**BIBIJI INDERJIT KAUR PURI,** an  
individual,

**Counter-Claim Plaintiff,**

v.

**WAI LANA PRODUCTIONS, LLC,**  
a California limited liability company,

**Counter-Claim Defendant,**

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**BIBIJI INDERJIT KAUR PURI**, an individual,

**Cross-Claim Plaintiff,**

v.

**GOLDEN TEMPLE OF OREGON, LLC**,  
an Oregon Limited Liability Company,

**Cross-Claim Defendant.**

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Cross-Claim/Interpleader Defendant, BIBIJI INDERJIT KAUR PURI (“BIBIJI”), files this answer to the Cross Claim of Cross Claim and Interpleader Plaintiff, Wai Lana Productions, LLC (“WAI LANA”), as follows:

### **PARTIES**

1. Undisputed.
2. Undisputed.
3. Admitted.

### **JURISDICTION AND VENUE**

4. Admitted.
5. Undisputed.
6. Undisputed.

### **BACKGROUND**

7. BIBIJI lacks information sufficient to admit or deny the allegations of Paragraph 7 of the Cross Claims against BIBIJI and, therefore, denies such allegations.

8. BIBIJI lacks information sufficient to admit or deny the allegations of Paragraph 8 of the Cross Claims against BIBIJI and, therefore, denies such allegations.

9. Admitted that Golden Temple of Oregon, LLC (“GOLDEN TEMPLE”), began selling cereal based products using the YOGI mark sometime after March 31, 2009, without BIBIJI’s permission or paying any compensation for such use of the YOGI mark.

**COUNTERCLAIMS ONE THROUGH FIVE**

10. Counterclaims One through Five are asserted against GOLDEN TEMPLE only and are not alleged against BIBIJI. Therefore, BIBIJI will not separately respond to such allegations but notes that while BIBIJI contends that the use of the YOGI mark for cereals by GOLDEN TEMPLE was without the permission of the owners of the YOGI mark, BIBIJI denies that the use of the YOGI mark for cereals in any way infringes WAI LANA’s claimed “YOGI Chips” mark.

**COUNTERCLAIMS AND CROSS-CLAIMS FOR INTERPLEADER**

11. BIBIJI hereby incorporates her responses to paragraphs 1-9 as if fully set forth herein.

12. BIBIJI admits the allegations of paragraph 44 of the Counterclaim and Cross-Claim for Interpleader.

13. BIBIJI admits the allegations of paragraph 45 of the Counterclaim and Cross-Claim for Interpleader.

14. BIBIJI admits the allegations of paragraph 46 of the Counterclaim and Cross-Claim for Interpleader.

15. In response to paragraph 47, BIBIJI denies that any interpleader is required, but will assert her claims against GOLDEN TEMPLE and WAI LANA in this action as set forth below.

### **COUNTER AND CROSS CLAIMS**

1. Counter and Cross Plaintiff, BIBIJI INDERJIT KAUR PURI (“BIBIJI”), files this Cross-Claim for federal and common law trademark infringement, false designation of origin, unfair competition, Oregon Trademark Dilution, Unfair and Deceptive Trade Practices, Federal Cybersquatting, constructive trust, for a judgment that Counter Defendant, GOLDEN TEMPLE of OREGON, LLC (“GOLDEN TEMPLE”), does not own and has no right use or to register the “YOGI,” “YOGI TEA” or any related or confusingly similar trademarks and for an order compelling assignment of all such applications and registrations to BIBIJI and other beneficiaries of the Yogi Bhajan and Inderjit Kaur Puri Joint Living Trust, or their cancellation. It must be noted, however, that the claims between BIBIJI and GOLDEN TEMPLE are already the subject of a pending arbitration between such parties.

2. BIBIJI also file files this Counter-Claim against WAI LANA PRODUCTIONS, INC. (“WAI LANA”), alleging federal and common law trademark infringement, false designation of origin, unfair competition, Oregon Trademark Dilution, Unfair and Deceptive Trade Practices, Federal Cybersquatting, constructive trust, for a judgment that Counter Defendant, WAI LANA does not own and has no right use or to register the “YOGI CHIPS,” or any related or confusingly similar trademarks and for an order compelling assignment of all such applications and/or registrations to BIBIJI and other beneficiaries of the Yogi Bhajan and Inderjit Kaur Puri Joint Living Trust, or their cancellation , as follows:

#### **Jurisdiction and Venue**

3. The Court has subject matter jurisdiction over the claims herein pursuant to 15 U.S.C. §1121, and 28 U.S.C. §1338(a), in that all federal counts arise under the Trademark Laws

of the United States, 15 U.S.C. §1051 et seq. This Court has subject matter jurisdiction over the state law counts under 28 U.S.C. §§ 1338(b) and 1367(a) for state law claims that arise from the same facts and circumstances as the federal claims upon which original jurisdiction is based.

4. Plaintiff is informed and believes and thereon alleges that venue is also proper in this Court under 28 U.S.C. §1391(b)(2), in that a substantial part of the events or omissions giving rise to the claim occurred in this District and Counter and Cross Defendants are already parties to this action in this District.

### **The Parties**

5. Counter and Cross Plaintiff BIBIJI INDERJIT KAUR PURI (“BIBIJI”) is an individual residing in Los Angeles, California.

6. BIBIJI is informed and believes and thereon alleges that Cross Defendant GOLDEN TEMPLE OF OREGON, LLC (“GOLDEN TEMPLE”) is an Oregon Limited Liability corporation with a principal place of business located at 2545 Prairie Road, Eugene, OR 97402.

7. BIBIJI is informed and believes and thereon alleges that Counter-Defendant WAI LANA PRODUCTIONS, LLC (“WAI LANA”), is California limited liability company.

### **Factual Background Yogi Bhajan**

8. Yogi Bhajan was a charismatic spiritual leader and successful entrepreneur who introduced Kundalini Yoga and Sikhism to the United States. He was born Harbhajan Singh in what is now Pakistan to a family of healers and community leaders. He studied comparative religion and Vedic philosophy as an undergraduate and went on to receive his Masters in Economics with honors from Punjab University. He also earned a Ph.D. in communications

psychology from the University of Humanistic Studies in San Francisco.

9. Yogi Bajan was a Master of Kundalini Yoga by the age of 16. In the late 1960s, he immigrated from India to Canada, and then to the United States, in order to realize his vision of bringing Kundalini Yoga to the West. He began by teaching workshops, sharing the ancient wisdom of Ayurveda and healthy living that he learned in India. Ayurveda is a system of traditional medicine native to the India, which focuses on the use of natural herbs, massage and yoga for healing and healthy living.

10. In response to the drug culture of the 60s, Yogi reached out to youth and taught them the peaceful, inner euphoria they could get naturally from Kundalini Yoga. As a result, young people began flocking to his classes, arriving in busloads. Yogi Bajan created a family, known as 3HO (Healthy, Happy, Holy Organization) and soon 3HO teaching centers began springing up throughout the United States and across the world, growing to over 300 centers in 35 countries. 3HO was founded on Yogi Bajan's premise that every human possessed the birthright to be healthy, happy and holy.

11. Yogi Bajan grew to be internationally known as a religious, community and business leader with a distinguished reputation as a man of peace, world-vision, wisdom, and compassion. In 1971, he was designated the Siri Singh Sahib, or the Sikh leader in the Western Hemisphere. As the Siri Singh Sahib, he discussed inter-religious dialogue with Pope John Paul II and also worked side-by-side with the Archbishop of Canterbury and the Dalai Lama to foster world peace.

12. Yogi Bajan wrote and published over 30 books on topics ranging from consciousness and spirituality to communication and psychology. He also founded several

companies, including GOLDEN TEMPLE, to manufacture and distribute natural products based on his teachings. Yogi Bajan and his teachings have received extensive media coverage and are well known throughout the United States and the world.

13. Yogi Bajan passed away on October 6, 2004 at the age of 75.

### **Yogi Tea**

14. Beginning around 1969, after his classes, Yogi Bajan would serve his students a special spiced tea he developed based upon the healing principles of Ayurveda, which he and his students began affectionately calling “Yogi Tea,” referring to the tea that he, Yogi Bajan, had developed.

15. In or around 1984, with Yogi Bajan’s encouragement and assistance, some of his students formed a company to market and sell this “Yogi Tea.” Yogi Bajan granted the company, which was originally known as the Yogi Tea Company, a license to use his name and likeness and the trademark “Yogi Tea” to market teas based on formulas developed by Yogi Bajan.

16. GOLDEN TEMPLE is a successor to the Yogi Tea Company and, in turn, also licensed the right to use Yogi Bajan’s name and likeness, including the “Yogi” and “Yogi Tea” marks (collectively referred to as the “YOGI MARKS”). Since at least as early as 1998, GOLDEN TEMPLE used Yogi Bajan’s image on its packaging, its websites and sales and marketing materials heralding that the “Yogi behind Yogi Tea is Yogi Bajan....” Attached hereto as Exhibit “A” is a true and correct copy of “archive” pages from the “yogitea.com” website from 1998 and thereafter reflecting such uses and acknowledging the origins of “Yogi Tea.”



17. The license provides that GOLDEN TEMPLE is authorized by virtue of the license to use Yogi Bhajan's image and sayings and his name and all names or terms by which he is known (collectively referred to as the "Licensed marks") in connection with the sales of certain goods, including teas. The Licensed marks include "Yogi Tea."

18. The License was renewed and extended repeatedly until it was replaced with a new license in 2004 with a term of 75 years providing the same scope of license to use the Licensed Marks.

19. At the end of 2008, GOLDEN TEMPLE announced it had ceased use of Yogi Bhajan's name and likeness. GOLDEN TEMPLE claimed to have terminated the license and ceased paying royalties due under the License. Consequently, GOLDEN TEMPLE no longer has any right to use the Licensed Marks, including the "Yogi Tea" mark.

20. In fact, GOLDEN TEMPLE continued to use the "Yogi Tea" Licensed Mark, and still uses it today without authorization from the owners of the mark. GOLDEN TEMPLE has also expanded the use of the Yogi mark to cereals without authority or compensation to the owners of the mark. This action concerns all infringing conduct post termination.

21. Yogi Bhajan and his wife, BIBIJI, created a joint living trust which thereafter owned and controlled the trademark rights and other intellectual property of Yogi Bhajan. After Yogi Bhajan's death, this trust was terminated with BIBIJI receiving her fifty percent (50%) interest in and to the trust assets, including the trademarks and other intellectual property rights related to Yogi Bhajan.

22. Counter Defendant WAI LANA is currently selling or in the past has sold food products, including chips and snack bars, under marks that are confusingly similar to one or

more of the YOGI Marks, including YOGI and YOGI CHIPS. Upon information and belief, WAI LANA's products sold under the YOGI Marks compete with products sold using BIBIJI's YOGI Marks.

23. WAI LANA's activities are likely to cause confusion, mistake, and deception as to the affiliation, connection, or association of WAI LANA with Yogi Bajan, and the YOGI marks, and as to the origin, sponsorship, or approval of WAI LANA's services or commercial activities. inflicting irreparable harm to the goodwill symbolized by the YOGI marks, for which BIBIJI has no adequate remedy at law.

**COUNT I  
FEDERAL STATUTORY AND  
COMMON LAW TRADEMARK INFRINGEMENT**

24. BIBIJI hereby realleges, as if fully set forth, the allegations of paragraphs 1 through 23, inclusive.

25. Upon information and belief, Defendants are now committing the activities alleged above, have indicated their intention to and will continue to do them.

26. Defendants have recklessly and/or with actual knowledge of BIBIJI's rights continues to market and sell products using the YOGI trademarks and trade dress belonging to BIBIJI.

27. As a direct and proximate result of Defendants' activities, BIBIJI has suffered serious damage and unless Defendants are restrained from continuing their wrongful acts, the damage to BIBIJI, which is irreparable, will increase.

28. The aforesaid acts of Defendants constitute trademark infringement in violation of BIBIJI's rights at common law and under the Federal Lanham Act.

29. BIBIJI has no adequate remedy at law.

**COUNT II  
FALSE DESIGNATION OF ORIGIN  
(15 U.S.C. §1125(a))**

30. BIBIJI hereby realleges, as if fully set forth, the allegations of paragraphs 1 through 29, inclusive.

31. BIBIJI is informed and believes, and based thereon alleges, that Defendants' acts alleged above have constituted a false designation and description as to the origin, quality, and characteristics of goods and/or services to be sold and performed under the YOGI MARKS.

32. Upon information and belief, Defendants' use, and the continuation of such use, of the YOGI MARKS has and will further damage BIBIJI's trademark and its exclusive association with Yogi Bhanjan, will harm Yogi Bhanjan's reputation, and will damage Yogi Bhanjan's goodwill.

33. Defendants' past and intended acts constitute false designations and/or descriptions of origin in violation of BIBIJI's rights under Section 1125(a) of Title 15 of the U.S. Code (also referred to as Section 43(a) of the Lanham Act).

34. Upon information and belief, unless Defendant is immediately restrained from undertaking these wrongful acts, the damage to BIBIJI, which is irreparable, will increase.

35. BIBIJI has no adequate remedy at law.

**COUNT III  
VIOLATION OF SECTION 43(a) OF THE LANHAM ACT**

36. BIBIJI hereby realleges, as if fully set forth, the allegations of paragraphs 1 through 35, inclusive.

37. Defendants' acts alleged above constitute a false designation and description as to the origin, quality, and characteristics of Defendants' goods and services to be sold and performed under the designation.

38. Upon information and belief, Defendants acted recklessly and/or with actual and/or constructive knowledge of BIBIJI's trademark rights and with knowledge that Defendants' acts constitute a false designation and description as alleged above.

39. Defendants' acts constitute false designations and/or descriptions of origin in violation of BIBIJI's rights under Section 1125(a) of the Trademark Act of 1946 (Section 43(a) of the Lanham Act; 15 U.S.C. § 1051, et. seq.)

40. Unless Defendants are immediately restrained from continuing its wrongful acts, the damage to BIBIJI, which is irreparable, will increase.

41. BIBIJI has no adequate remedy at law.

#### **COUNT IV UNFAIR COMPETITION**

42. BIBIJI repeats, as if fully set forth herein, the allegations set forth in paragraphs 1 through 41.

43. Upon information and belief, Defendants have committed acts of unfair competition and has traded upon BIBIJI's valuable goodwill in violation of the common law of the State of Oregon. Upon information and belief, Defendants have been unjustly enriched by their acts of unfair competition.

44. Upon information and belief, Defendants have intentionally misappropriated the commercial value of BIBIJI's trademark, have unlawfully acted to damage the source-identifying quality of BIBIJI's trademarks, and has created circumstances which adversely affect

the value of BIBIJI's goodwill and reputation.

45. BIBIJI is informed and believes, and thereupon alleges, that the acts alleged above were willful, fraudulent, malicious and oppressive and were undertaken with the intent to harm BIBIJI, or were done with reckless disregard of BIBIJI's rights, and justify the awarding of punitive damages so as to set an example and to deter others from engaging in such conduct.

46. BIBIJI has suffered, is suffering, and will continue to suffer irreparable injury for which BIBIJI has no adequate remedy at law.

**COUNT V**  
**OREGON TRADEMARK DILUTION-ORS 647.107**

47. BIBIJI hereby realleges, as if fully set forth, the allegations of paragraphs 1 through 46, inclusive.

48. Defendants' acts set forth above violate Oregon laws, and particularly ORS 647.107, in that Defendants have diluted the distinctive quality of the YOGI Marks causing irreparable harm to Yogi Bhajan's goodwill and business reputation. BIBIJI is entitled to injunctive relief and to recover damages, costs, and reasonable attorneys' fees.

**COUNT VI**  
**UNFAIR AND DECEPTIVE TRADE PRACTICES-ORS §§ 646.605-646.656**

49. BIBIJI hereby realleges, as if fully set forth, the allegations of paragraphs 1 through 48, inclusive.

50. Defendants have been and are passing off their goods as those authorized and lawfully associated with Yogi Bhajan, causing a likelihood of confusion or misunderstanding as to the source, sponsorship, or approval of Defendants' goods, causing a likelihood of confusion as to Defendants' affiliation, connection, or association with Yogi Bhajan and/or otherwise

damaging the public.

51. Defendants' conduct constitutes unfair and deceptive acts or practices in the course of a business, trade, or commerce in violation of Oregon's Unlawful Trade Practices Act, ORS 646.605 to 646.656 (2003).

52. Defendants' unauthorized use of confusingly similar imitations of the YOGI Marks has caused and is likely to cause substantial injury to the public and to BIBIJI, and BIBIJI is entitled to injunctive relief and to recover damages, costs, and reasonable attorneys' fees.

**COUNT VII**  
**FEDERAL CYBERSQUATTING - 15 U.S.C. § 1125(d)**

53. BIBIJI hereby realleges, as if fully set forth, the allegations of paragraphs 1 through 52, inclusive.

54. WAI LANA has adopted, registered, used, and continues to use domain names that incorporate the YOGI Marks, including the domains: [www.yogicereal.com](http://www.yogicereal.com), [www.yogicookie.com](http://www.yogicookie.com), and [www.yogitwisters.com](http://www.yogitwisters.com). GOLDEN TEMPLE has also adopted, registered, used and continues to use domain names that incorporate the YOGI Marks, including the domain name: [www.yogiproducs.com](http://www.yogiproducs.com).

55. Upon information and belief, WAI LANA and GOLDEN TEMPLE knew of the YOGI marks associated with Yogi Bhajan, which are now owned and controlled by BIBIJI and the other beneficiaries of the Yogi Bhajan and Inderjit Kaur Puri Joint Living Trust, at the time(s) WAI LANA registered the domains [www.yogicereal.com](http://www.yogicereal.com), [www.yogicookie.com](http://www.yogicookie.com), and [www.yogitwisters.com](http://www.yogitwisters.com), and at the time GOLDEN TEMPLE registered the domain [www.yogiprioducts.com](http://www.yogiprioducts.com).

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56. By continuing to use the foregoing domain names Defendants have trafficked in and used domain names that are confusingly similar to BIBIJI's trademarks, including YOGI.

57. Upon information and belief, Defendants continue to use the foregoing domain names with the bad faith intent of profiting unlawfully from BIBIJI's trademarks.

58. Defendants have no rights in the foregoing domain names which incorporate the BIBIJI's trademarks. WAI LANA has no trademark or other intellectual property rights in the domain names, and the domain names do not reflect or include WAI LANA's legal names or any name in which the WAI LANA is registered to do business. Further, WAI LANA is not making a bona fide noncommercial or fair use of BIBIJI's trademarks.

59. Defendants' actions constitute cyber piracy in violation of 15 U.S.C. § 1125(d).

60. Defendants' unauthorized continued use of the domain names has caused, and unless preliminarily and permanently enjoined, will continue to cause, irreparable injury to BIBIJI and to the goodwill associated with BIBIJI's trademarks.

61. For Defendants' cyber piracy, BIBIJI is also entitled to recover her trebled damages, or statutory damages of \$100,000 per domain name, its costs, and attorneys' fees.

### **COUNT VIII DECLARATORY RELIEF**

62. BIBIJI hereby realleges, as if fully set forth, the allegations of paragraphs 1 through 62, inclusive.

63. An actual controversy exists between BIBIJI and GOLDEN TEMPLE in that GOLDEN TEMPLE contends that it owns and/or controls the exclusive right to use the YOGI MARKS in relation to teas and cereals, and other unspecified products as well, whereas BIBIJI contends that she owns the YOGI MARKS.

64. A justiciable controversy exists concerning whether GOLDEN TEMPLE or BIBIBJI owns and controls the YOGI MARKS.

65. BIBIJI requests that the Court issue a judgment declaring that BIBIJI is the owner of the YOGI MARKS and that GOLDEN TEMPLE has no right to advertise, offer for sell or sell any products or services using the YOGI MARKS, or any mark confusingly similar thereto, and that Defendants shall assign to BIBIJI all rights, title and interest to any marks, registered or otherwise, acquired under license from BIBIJI's predecessor in interest, Yogi Bhajan.

**COUNT IX  
ASSIGNMENT OF TRADEMARK APPLICATIONS AND REGISTRATIONS  
TO ALL YOGI MARKS**

66. BIBIJI repeats, as if fully set forth herein, the allegations set forth in paragraphs 1 through 65.

67. GOLDEN TEMPLE has applied in the U.S. Patent and Trademark Office ("USPTO") to register the YOGI trademark in International Class 30 for "Granola; granola snacks; granola based snack bars; ready to eat, cereal-derived food bars." See Exhibit "B." GOLDEN TEMPLE's application is an "intent to use" application, which acknowledges that GOLDEN TEMPLE had not yet used the mark as of the filing date of December 9, 2009, long after the public came to associate the YOGI mark with YOGI BHAJAN.

68. GOLDEN TEMPLE has also applied in the USPTO to register the YOGI trademark in International Class 30 for "processed cereal-based food to be used as a breakfast food, snack food, or ingredient for making other foods." See Exhibit "C." GOLDEN TEMPLE's application is an "intent to use" application, which acknowledges that GOLDEN TEMPLE had not yet used the mark as of the filing date of December 18, 2009, long after the public came to



associate the YOGI mark with YOGI BHAJAN.

69. GOLDEN TEMPLE has also applied in the USPTO to register the YOGI trademark in International Class 30 for “Tea and ready-to-drink tea.” See Exhibit “D.” GOLDEN TEMPLE’s application declares that GOLDEN TEMPLE first used the YOGI mark in commerce on such goods on December 26, 2008, long after the public came to associate the YOGI mark with YOGI BHAJAN.

70. GOLDEN TEMPLE also applied in the USPTO and obtained registration of the YOGI TEA trademark in International Class 30 for “Tea.” Exhibit “E.” Such registration issued on May 27, 2008 as Registration No. 3435101. The registration declares that Defendant first used the YOGI TEA mark in commerce was on tea on April 9, 2007, long after the public came to associate the YOGI mark with YOGI BHAJAN.

71. GOLDEN TEMPLE (or its predecessor) also applied to the USPTO and obtained registration of the YOGI TEA trademark in International Class 30 for “Tea.” Exhibit “F.” Such registration issued on June 18, 1996, as Registration No. 1980514. The registration declares that GOLDEN TEMPLE first used the YOGI TEA mark in commerce on tea on March 8, 1983, long after the public came to associate the YOGI mark with YOGI BHAJAN.

72. WAI LANA has also applied in the USPTO to register and obtained registration of the YOGI CHIPS trademark in International Class 30 for “Wheat, rice, and cereal-based snack foods.”

73. As set forth above, Defendants have no right to use the YOGI MARKS or any marks confusingly similar thereto. Nonetheless, Defendants have filed the foregoing applications to register the YOGI MARKS, and have wrongfully obtained registrations for the

YOGI TEA mark.

74. Based on GOLDEN TEMPLE's wrongful registration of the YOGI TEA, WAI LANA's wrongful registration of YOGI CHIPS, and Defendants' applications to register the other YOGI MARKS as set forth above, this Court should order immediate assignment of such registrations and applications to their rightful owner, BIBIJI, the successor in interest to Yogi Bhajan.

**COUNT X  
DETERMINATION THAT DEFENDANT HAS NO RIGHT TO REGISTER  
(15 U.S.C. §1119)**

75. BIBIJI repeats, as if fully set forth herein, the allegations set forth in paragraphs 1 through 74.

76. As set forth above, Defendants have no right to use the YOGI MARKS or any marks confusingly similar thereto. Nonetheless, Defendants have filed applications to register the YOGI MARKS.

77. The YOGI MARKS Defendants' applications seeks to register are identical in sight, sound and meaning as the YOGI MARKS as used by and associated with YOGI BHAJAN.

78. BIBIJI will be irreparably damaged if Defendants are permitted to obtain a registration for the foregoing YOGI MARKS.

79. This Court should issue an order directing the USPTO to refuse registration of the YOGI trademarks sought by Defendant on either the primary or supplemental register of the USPTO pursuant to 15 U.S.C. §1119.

**COUNT XI**  
**CANCELLATION OF REGISTERED MARK**  
**(15 U.S.C. §1119)**

80. BIBIJI repeats, as if fully set forth herein, the allegations set forth in paragraphs 1 through 79.

81. Defendants have no right to use the YOGI MARKS or any marks confusingly similar thereto. Defendants have obtained registrations the YOGI MARKS which are identical in sight, sound and meaning as the YOGI MARKS as used by and associated with YOGI BHAJAN.

82. BIBIJI will be irreparably damaged if Defendants are permitted to maintain the registrations for the foregoing YOGI TEA MARKS.

83. This Court should issue an order directing the USPTO to cancel Defendants' registrations for YOGI TEA, and any other YOGI MARKS.

**COUNT XII**  
**IMPOSITION OF CONSTRUCTIVE TRUST**  
**(California Civil Code § 2224)**

84. BIBIJI hereby realleges, as if fully set forth, the allegations of paragraphs 1 through 83, inclusive.

85. By reason of the wrongful acts of Defendants as set forth above, Defendants are involuntary trustees of all rights and good will associated with the YOGI MARKS, together with all income or funds received by Defendants from their wrongful acts.

86. Defendants should be required to turn over all such income or funds unlawfully obtained.

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### **PRAYER FOR RELIEF**

Wherefore, BIBIJI prays:

1. That Defendants be found liable to BIBIJI for Defendants' infringement of BIBIJI's YOGI MARKS.
2. That this Court issue an injunction prohibiting Defendants, and all persons in active concert with Defendants, from infringing BIBIJI's YOGI trademark by the use of YOGI MARKS or any confusingly similar names or designations.
3. That this Court award BIBIJI up to treble damages against Defendants in view of their willful conduct.
4. That this Court award punitive and exemplary damages against Defendants and in favor of BIBIJI.
5. That BIBIJI be awarded an amount to be determined for corrective advertising to allow for the recapture of the source-identifying function of BIBIJI's marks and trade dress.
6. That Defendants, their directors, and officers, agents, servants, employees and all other persons in active concert or privity or in participation with them, be enjoined from making and disseminating the false and misleading statements as set forth herein or otherwise committing any acts of unfair competition.
7. Directing Defendants to pay to BIBIJI all gains, profits, and advantages, and to turn over all trademark, trade dress and other rights, derived by Defendants from the aforesaid unfair trade practices, unfair competition and violations of ORS §§ 646.605-646.656.
8. Defendants be required to turn over all such income or funds unlawfully obtained.
9. That this Court order immediate assignment of Defendants' registrations for

YOGI TEA and applications to register YOGI, and any other YOGI MARKS to their rightful owner, BIBIJI, the successor in interest to Yogi Bhajan.

10. That this Court issue an order directing the USPTO to refuse registration of the YOGI trademarks sought by Defendants on either the primary or supplemental register of the USPTO pursuant to 15 U.S.C. §1119.

11. That this Court issue an order directing the USPTO to cancel Defendants' registrations for YOGI TEA, and any other YOGI marks.

12. That costs of this action be awarded BIBIJI.

13. That BIBIJI be awarded both prejudgment and post-judgment interest on each and every damage award.

14. That this Court determine that this is an exceptional case and that BIBIJI be awarded its reasonable attorneys' fees.

15. That this Court grant such other and further relief as it shall deem just and proper.

DATED this 10th day of September, 2010.

/s/ Emily S. Hill

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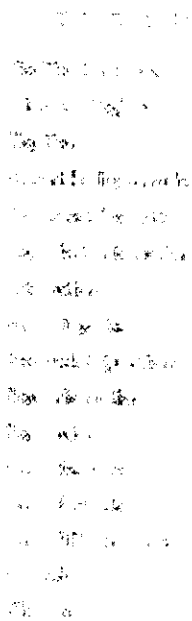
Pasadena, California 91101

Telephone: (626) 683-7600

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Of Attorneys for Bibiji Inderjit Kaur Puri

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**WHAT'S  
NEW**

YOGI TEA

## ANCIENT HEALING FORMULA®



Revised: November 17, 1998

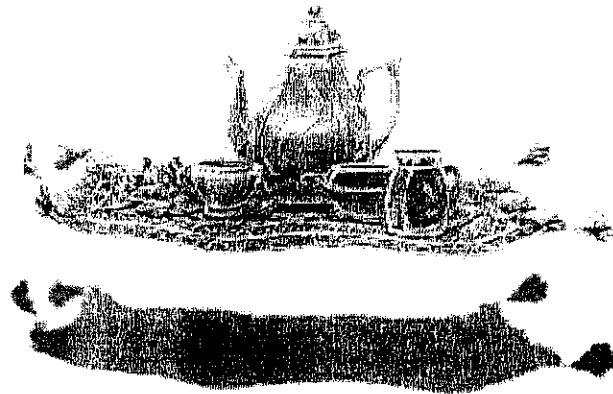
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*Presents:*



**YOGI TEA**~six unique flavors delicately balanced to lift your spirit while it soothes your body and soul. Start with the rich memory of vanilla and let it transport you to an azure-sky day fading into evening on the shores of a tropical sea. This is the inspiration of YOGI TEA. Then consider the lingering spiciness of cinnamon, and envision its origins within the mysterious valleys of the tranquil Himalayas. It's here~captured in our all-natural herbal blends, made with the finest ingredients from around the world.



**Tahitian Vanilla** ~ When the brave sea captains found the lush, tropical islands of the South Seas, they also discovered the world's most fragrant, flavorful vanilla beans. We blend this Tahitian Vanilla with treasured spiced for a tea with unmatched richness and the smooth taste of a tropical

paradise.

- Increases circulation
- Regulates menstruation
- Enhance digestion
- Decreases gas
- Adrenal builder
- Anti-inflammatory
- Soothe digestive membranes



**Egyptian Licorice** ~ The great kings of Egypt treasured the "magical" licorice root for its natural sweetness, deep rich flavor and healthful properties. No licorice treat is more delicious or satisfying than our Egyptian Licorice Tea, a blend of selected herbs, spices and natural flavorings from Egypt and around the globe.

- Soothe digestive membranes
- Anti-inflammatory
- Enhance digestion
- Decreases nausea
- Increases circulation
- Release sinus congestion



**Hazelnut Cream** ~ From the cafés of Italy come the rich, nutty flavors of our Hazelnut Cream Tea. Its blend of fine hazelnut cream and aromatic spices will transport you to that Italian café with its wonderful desserts, joining Europe's most enthusiastic lovers of luscious food and drink.

- Increases circulation
- Soothe digestive membranes
- Anti-inflammatory
- Liver detox/protector
- Hormone balance





**Cinnamon Spice** ~ In ancient India, sweet, aromatic cinnamon, spicy ginger root, fragrant cardamom, delicate black pepper and fine tea leaves graced the warm valleys and Himalayan hills. Our original Cinnamon Spice Tea blends these herbs and spices, imported from all over the globe in a uniquely invigorating brew.

- Increases circulation
- Decreases joint stiffness
- Enhance digestion
- Liver detox, protector
- Decreases gas, decreases nausea



**Maple Royale** ~ In the early spring, the northern woods are scented with fragrant steam from the maple sugar houses. We've captured this sweet, distinctive taste of real maple in our Maple Royale Tea. Fine cinnamon and cardamom are combined with pure maple for a delicious royal blend.

- Increases circulation
- Liver detox/protector
- Joint stiffness
- Respiratory tonic
- Decongest respiratory



**Mango Passion** ~ Mango and Passion Fruit have delighted palates with their sweet, heavenly flavor since India first recorded its passion for mangoes 4,000 years ago. Our Mango Passion Tea combines the finest natural flavors and essences with subtle herbs and spices to create a taste and aroma even the gods could not resist.

- Increases circulation
- Tonify uterus

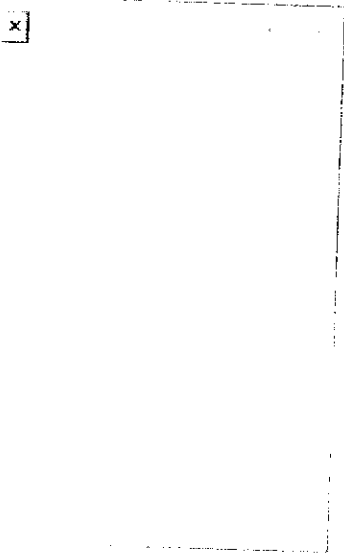
- Antioxidant
- Anti-inflammatory
- Diabetes
- Respiratory tonic
- Enhance digestion

Nature has truly been kind to us, providing the wonderful herbs and spices for my Yogi Tea formulations, based on the traditions of ancient India and Ayurveda. Since I was young, I have taught about improving life with the right foods, herbs and the exercises of yoga. Now these benefits are deliciously available to you in Yogi Tea. It's my pleasure to create these teas for you; enjoy them as a gift from nature and from me.

## ***Yogi Bhajan***

**The Ayurvedic Institute - Yoga Center - The Herbal Laboratory -  
Contact by E-mail - Yogi Tea - Ancient Healing Formulas - Food For Thought -Yogi  
Bhajan Home Page**

# The Yogi Behind Yogi Tea



**Yogi Bhaajan** was born in what is now Pakistan, to a family of healers, and community leaders. At age seven he began to study with the great yogis, healers and Ayurvedic masters of the region and eventually became a master of these ancient practices himself. He graduated from Punjab

University in 1952 with a Master's degree in Economics. In 1953 he married Bibiji Inderjit Kaur, and together they have raised three children. He went on to work as an officer in the service of the Indian Government until 1967.

In 1968 Yogi Bhaajan began to teach the science and technology of Kundalini Yoga, Ayurveda, meditation, and healthy living in America. He established the 3HO (Healthy, Happy, Holy Organization) Foundation in 1969. This non-profit foundation promotes happiness, health, and union with the soul as the birthright of every human being. Today 3HO is a world-wide association of people with over 300 centers in 38 countries. The 3HO Foundation is a Non-Government Organization (NGO) in Consultative Status (Roster) with the Economic and Social Council of the United Nations.

In 1980 Yogi Bhaajan earned his Ph.D. in

Psychology. He spends much of his time counseling people from all walks of life. He lectures and teaches extensively on the topics of health, healing, relationships, and spirituality.

He also serves as the Siri Singh Sahib, Chief Religious Authority for the Sikhs of the Western Hemisphere. As an ambassador of inter-religious dialogue, he is the Co-President of the Human Unity Conference and works with religious leaders and organizations world-wide.

Yogi Bhajan has also authored over 30 publications on varied topics including religion, spirituality, business, health, and psychology. He has been affectionately called the “Father of the Woodstock Nation.” He hosts several camps and events each summer in his home state of New Mexico, including International Peace Prayer Day. He is a significant contributor to the political and economic welfare of the region and has been a trusted personal advisor to every New Mexico Governor since 1970.

In the early 70’s Yogi Bhajan encouraged his students to start businesses like Yogi Tea to make products which could help people live healthier and happier lives. Today that vision has become KIIT. Yogi Bhajan is a good and trusted advisor to us, and to all. His favorite saying is, “If you cannot see God in all, you cannot see God at all.”



For more about Yogi Bhajan follow this link.

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History of Yogi Tea

The Yogi Tea story began

in the early 1970s

Yogi Tea.

Yogi Tea is a blend of

herbs and spices.

Yogi Tea is a blend of

herbs and spices.

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herbs and spices.

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
Yogi Tea is a blend of



## The History of Yogi Tea

In 1969, Yogi Bhajan came to the United States and began teaching Kundalini Yoga. His lectures and courses covered not only yoga and meditation, but also the ancient science of Ayurveda that uses nutrition, herbs, and other arts to keep the body, mind and spirit healthy. After each class, Yogi Bhajan would serve an aromatic spice tea to his students, which they affectionately named "Yogi Tea." In time, this uniquely-flavored tea was served in the Golden Temple Vegetarian Restaurants that sprouted in the US and Europe during the early 70's.

Yogi Tea became a hit with the customers because of it's delicious taste and tonic-like affects. In response to such a positive demand, the Golden Temple Restaurants began to package and sell the tea to local natural food stores. This grass roots endeavor blossomed into the Yogi Tea Company.

 Illustration of Yogi Tea  
Spices

By 1986, we had developed three flavors of Yogi Tea which commanded a strong following in both the United States and Europe. In 1988, we introduced the first four Ancient Healing Formula teas. Created by Yogi Bhajan and his team of Ayurvedic experts, this line used highly

specialized herbal formulas to maintain and support the vitality and health of the body. Currently, the Yogi Tea line of beverage teas has six flavored varieties, including the original recipe. In addition, we produce and distribute over 30 Ancient Healing Formula Teas to meet a variety of health needs..

## Organic Ingredients

In 1991, we joined with our sister company, Yogi Tea of Europe, to develop sources of organic ingredients for our teas. However, we had no idea of the challenge that lie in wait. Reliable, abundant, and quality sources of organic herbs and spices were impossible to find. In the spirit of self-reliance, we looked into creating a supply on our own. Seven years later, through a cooperative effort between non-profit organizations, indigenous peoples and Yogi Botanicals (our sister nuetraceutical company), herbs and spices are being cultivated in sustainable, socially-positive communities across the world. Tribal farmers trained in organic techniques provide our company with spices like lemon grass and black peppers. One of our most successful cooperatives thrives in the rainforest of Sumatra, Indonesia. There, local farmers cultivate organic Cassia Cinnamon using methods that support the local environment, not decimate it.

Organic farming offers a number of benefits to consumers, farmers, and the environment. Organic techniques rely on the environment's natural cycles to replenish the richness of the soil. Since rich soil

yields strong, pest-resistant crops, farmers do not need chemical fertilizers and pesticides. This creates a healthy work environment for the farmers. These techniques also maintain topsoil integrity, reduce the amount of chemical run-off into lakes, streams and ground water, and (most important) provide the consumer with food that is all-natural and chemical-free.

It gives us a great deal of joy and satisfaction to know that in bringing you, the customer, quality organic ingredients, we are also helping indigenous communities maintain their economic independence.

## **Where We're Going**

The Yogi Tea Company is reported to be the fastest growing tea company in the 14 billion dollar a year Natural Foods Industry (SPINS, 1997). Over 5000 natural food stores in America, Canada, Europe, Africa, Asia, Russia and Australia feature our Yogi Teas and Ancient Healing Formula teas. We are committed to continuing our 25-year tradition of providing our customers with the highest quality Ayurvedic teas, and look forward to introducing more delicious, health-conscious products in the future.

The Yogi Tea Company is a member of the family of companies that comprise Khalsa International Industries and Trades (KIIT). For over 25 years, these companies have applied conscious values and principles in business. Through shared systems, management, marketing and strategies, we are working to pioneer a legacy of quality services,



products and mutual excellence.

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**Our Organic Teas**

Healing Formulas Woman's Teas Green Teas Exotic Teas Chai Free Samples

**What's New**

**New Woman's Healing Formulas**  
Carefully formulated organic teas for the special needs of a woman's body. [more](#)

**Innovative Website**  
Discover our interactive website features. [more](#)

[click here to receive our free email newsletter](#)

**Cooling Summer Recipes**  
Stay cool and healthy with these delicious treats. [more](#)

**Find The Appropriate Healing Formulas!**  
Try our easy to use Find-Your-Tea to choose the best Healing Formulas for your needs. Select a category and your health concern, and our herbal masters will suggest soothing solutions.

**Glorious Hibiscus**  
Gorgeous and brightly colored, the hibiscus flower is a glorious inhabitant of the tropical islands of the South Pacific and many other areas of the world. A native of southern China, the original wild hibiscus was a lovely small pink flower. The Chinese royal court was delighted with this special bloom and cultivated many unique colorful varieties. [more](#)

**Find Your Hibiscus**

**Hawaiian Luau**  
Celebrate summer with a luau and learn more about this ancient Hawaiian tradition at <http://web.archive.org/web/20040708054438/http://www.hawaii-luau.com/>.

**Natural Nutty Candy Bar**  
Discover a delicious candy bar, smothered in caramel and wrapped in outrageous

**Which of the statements about vegetarian diets is false?**

- ☐ Vegetarian diets can be very high in cholesterol.
- ☐ Vegetarian diets don't contain enough protein.
- ☐ Vegetarian diets are low in fat.
- ☐ In general, vegetarian diets are



**Sounds of Yogi Tea**  
Let the gentle sounds of  
peace renew your spirit  
with this beautiful CD from  
Yogi Tea. [more](#)

stripes at  
<http://web.archive.org/web/20040708054438/http://www.whaguruchew.com/>

healthier.

[submit](#)

*Your body is the temple of God. Your  
soul is the spirit of God. Your mind  
is the flow of God. --Yogi Bhaish*

*Increase Mental  
Acuity*

Keep yourself focused and  
alert through the busy  
hours of your day with this  
simple 3 minute  
meditation. [more](#)

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### Yogi Tea Philosophy

Create yogically inspired quality herbal teas that balance and heal.

Support the health and future of the planet by using organic ingredients and recycled materials.

Share the knowledge with our customers and inspire them to become healthier and happier.

Develop a conscious working atmosphere where each individual can develop his or her creative potential in order to enhance the prosperity of the company and achieve personal fulfillment and satisfaction.

### About Us

As you may have guessed, there really is a "yogi" behind Yogi Tea. In 1969 Yogi Bhanjan began teaching Kundalini Yoga in America, sharing the ancient wisdom of Ayurveda and healthy



Yogi Bhanjan, the "yogi" behind Yogi Tea

living that he had mastered in India. After each class he would serve his students a special spice tea based upon this healing science, which they affectionately named **Yogi Tea**.

Soon, Yogi Bhanjan's students opened **Golden Temple Vegetarian Restaurants** in the US, Canada, and Europe. The delicious, rich and spicy aroma of Yogi Tea brewing permeated the environment and every customer who enjoyed the tea wanted to make their own cup of Yogi Tea at home. Through these Golden Temple restaurants, the first batches of Yogi Tea were sold to the public. In 1984 this grassroots endeavor blossomed into **The Yogi Tea Company** and Yogi Tea began to appear on Natural Foods Store shelves throughout the country.

Yogi Bhanjan taught that businesses based on respect for the divinity in all beings could lead to real and lasting change. Developing work environments that focused on the growth of each individual's potential as much as on production of goods and profits would create a radical and meaningful shift in the notion of "work." Under his guidance, small businesses began to take root along with Yogi Tea. Golden Temple (bulk granolas), Peace Cereal (packaged cereals), Wha



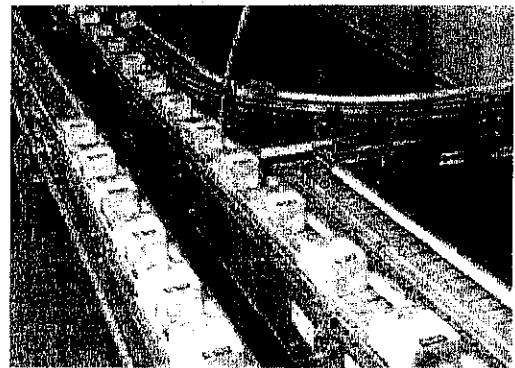
Yogi Tea's first 6 Exotic Teas

Guru Chew (candy bars), Herbal Gems (capsulated herb formulas), Sunshine (body care products) and Soothing Touch (professional massage products), were some of the companies founded during this period.

In 1991 Yogi Tea introduced the first Healing Formula teas. This line of medicinal teas was designed to address specific health needs using highly specialized herbal formulas created by Yogi Bhajan and his team of herbal experts. That same year, our company made a conscious decision to use organic ingredients in Yogi Tea in order to provide

the highest quality and best tasting teas we could.

Our teas have continued to evolve, meeting the ever-changing needs of the customer. Today Yogi Tea makes a rich beverage line of **9 Exotic Teas** from all over the world that include the original spice formula, now called Classic India Spice. Our line of **Healing Formulas** has been expanded to 30 specialized blends to effectively answer a wide range of specific healing need, with 5 **Woman's Healing Formulas** specially created for female comfort and relief. Our 3 **Simply Green Teas** and 6 **Green Tea Healing Formulas**





Our manufacturing facility in Eugene, Oregon

offer the healthful qualities of green tea in a non-bitter blend of the finest organic green teas. Our 2 **Tea Latte** concentrates in aseptic packs are as convenient as they are delicious. Finally, a line of 3 **Organic Chais** gives our customers the chance to taste the authentic enchanting flavors of India and the Far East. With more than 40 teas to choose from, Yogi Tea has a tea for every need and every season.


Organic ingredients, Ayurvedic wisdom and modern knowledge are incorporated into every product we develop at our own modern manufacturing facility in Eugene, Oregon. We are committed to applying our yogic lifestyle to our businesses, honoring diversity and the need for individuals to grow in social and spiritual ways. Yogi Tea along with our sister companies, Golden Temple, Peace Cereal, Wha Guru Chew, Sunshine Spa, Herbal Gems and Soothing Touch is dedicated to providing the finest products possible to support the health and well-being of our customers.

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## Savor the Journey



Discover the benefits of a natural lifestyle with delicious Yogi Tea.

☒ OrganicSpiceTEa

☒ OrganicSpiceTEa

☒ OrganicSpiceTEa

*The Law of Communication: Say it straight, simple and with a smile.*  
—Yogi Bhaajan

Meditation for Gratitude  
Fill your heart with compassion and gratitude by practicing this simple meditation. Begin by inhaling deeply through the nose and exhaling completely through the mouth; then, inhale through the mouth and exhale completely through the nose. As you proceed, meditate on the mantra **Saat Naam** (True Identity).

Test Your Knowledge  
Which of the following is a non-caloric alternative to refined sugar?

☐ Fruit Juice Concentrate

☐ Honey

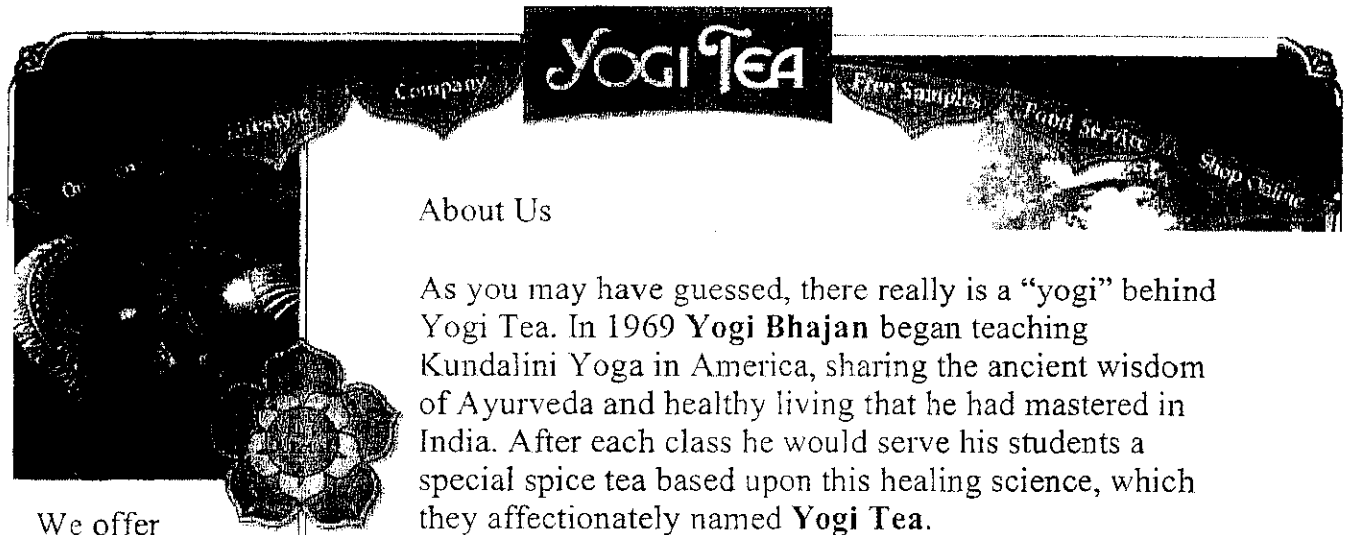
☐ Stevia

☐ Fructose

☐ Turbinado Sugar

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submit



We offer uplifting teas and are committed to the organic way of life.

## About Us

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☒ Yogi Tea - the purveyor of healing teas made with organic herbs and green tea

Yogi Bhajan, the "yogi" behind Yogi Tea

Yogi Bhajan taught that businesses based on respect for the divinity in all beings could lead to real and lasting change. Developing work environments that focused on the growth of each individual's potential as much as on production of goods and profits would create a radical and meaningful shift in the notion of "work." Under his guidance, small businesses began to take root along with Yogi Tea. Golden Temple (bulk granolas), Peace Cereal (packaged cereals), Wha Guru Chew (candy bars), Herbal Gems (capsulated herb formulas), Sunshine (body care products) and Soothing Touch (professional massage products), were some of the companies founded during



this period.

☒ We carry a full line of herbal teas

Yogi Tea's first 6 Exotic Teas

Tea in order to provide the highest quality and best tasting teas we could.

In 1991 Yogi Tea introduced the first Healing Formula teas. This line of medicinal teas was designed to address specific health needs using highly specialized herbal formulas created by Yogi Bhajan and his team of herbal experts. That same year, our company made a conscious decision to use organic ingredients in Yogi

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Organic ingredients, Ayurvedic wisdom and modern knowledge are incorporated into every product we develop at our own modern manufacturing facility in Eugene, Oregon. We are committed to applying our yogic lifestyle to our businesses, honoring diversity and the need for individuals to grow in social

☒ Our tea company takes pride in the organic quality herbs we use in our herbal teas

Our manufacturing facility in Eugene, Oregon



and spiritual ways. Yogi Tea along with our sister companies, Golden Temple, Peace Cereal, Wha Guru Chew, Sunshine Spa, Herbal Gems and Soothing Touch is dedicated to providing the finest products possible to support the health and well-being of our customers.

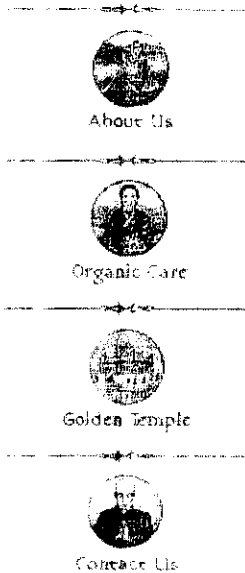
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**Create yogically inspired quality herbal teas** that balance and heal.

**Support the health and future of the planet** by using organic ingredients and recycled materials.

**Share the knowledge with our customers** and inspire them to become healthier and happier.

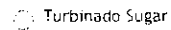
**Develop a conscious working atmosphere** where each individual can develop his or her creative potential in order to enhance the prosperity of the company and achieve personal fulfillment and satisfaction.



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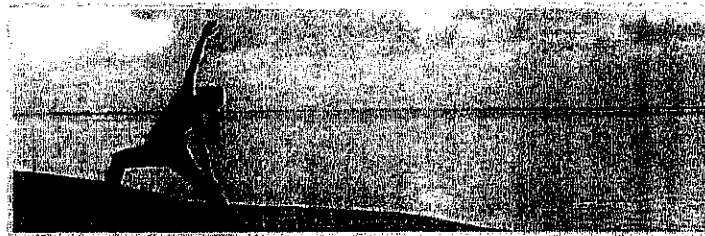
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Yogi™ teas and cereals are created with purpose, using masterfully blended ingredients that support your mind, body and spirit. Our philosophy is rooted in Ayurveda, which combines natural therapies with a balanced approach to overall health and well-being. We invite you to experience all that Yogi has to offer and achieve balance and joy in every aspect of your life.

About Yogi  
Golden Temple  
Yogi Commitment  
Press Room



Yogi™ creates teas and cereals with mood, flavor and purpose. We invite you to explore our teas and cereals and get inspired.

Our story begins in 1969 when Yogi Bhaian, an inspired and inspiring teacher of holistic living, started teaching yoga in America. He shared the wisdom and knowledge of Ayurveda and healthy living that he had mastered in India with his students while serving a specially spiced tea, which they affectionately named "Yogi Tea." The recipe contained five traditional Ayurvedic spices: cardamom seed, cinnamon bark, clove bud, ginger root and black pepper. When blended and brewed, these delicious spices leave you feeling vibrant and alive, while boosting overall well-being. Intrigued by the complex flavor and inherent health benefits of this unique combination of spices, it wasn't long before several of the yogi's students were inspired to brew their own "Yogi Tea."

In 1984 this grassroots endeavor blossomed into the Yogi Tea Company. Packages of the rough, dried spices began to appear in natural foods stores throughout Southern California. As demand increased, the spices were more finely ground, packaged and sealed into individual tea bags. By 1986, Yogi Tea was distributed nationwide in three flavors.

Yogi has continued to expand and evolve our tea offerings to address specific health needs by creating specialized herbal formulas, blended for both flavor and purpose. Today, Yogi has nearly 60 tea blends, many of which are created using the five original Yogi spices.

Yogi's expertise in sensual well-being has inspired our newest offering, Yogi cereals. As with our teas, Yogi cereals are created with purpose and blended to enhance the health of mind, body and spirit, while enlivening your senses with delightful flavors.

Whether you need to jump start the day, recover from physical activity, calm your mind and clarify thoughts, or revive the spirit and reflect, there's a Yogi tea or cereal to meet your specific needs.

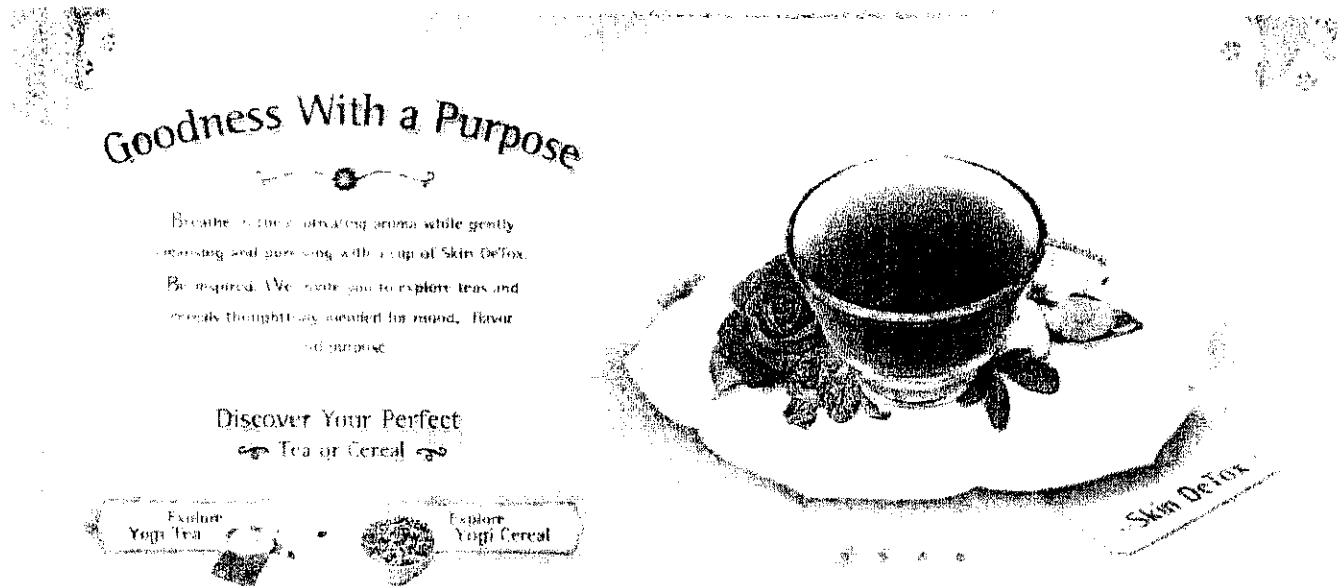
The holistic teachings of Ayurveda and healthy living are the inspiration behind Yogi. These teachings continue to inform how we develop our products, and we honor and reflect them through the Yogi Principles.

### Yogi Principles

- Tasting great is essential, but it isn't enough. If what we make doesn't taste great and leave you feeling great, we won't make it.
- We think before we blend or bake. How will our recipes work with body and mind?
- Health is found in nature. We work with what nature already offers rather than trying to concoct it. We don't have laboratories, we have kitchens.
- Creative combinations can optimize what nature has to offer. Ever added Goji Berry in Ginger? They work together to produce a remarkably fresh and innovative taste... and a remarkable level of energy.
- Whenever possible, we work with wholes, not parts. We don't add vitamin C. We add Indian

Gooseberry, which is naturally rich in vitamin C.

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# YOGI

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<b>Goods and Services</b>	IC 030. US 046. G & S: Granola; granola snacks; granola-based snack bars; ready to eat, cereal-derived food bars
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	77889992
<b>Filing Date</b>	December 9, 2009
<b>Current Filing</b>	

**Basis** 1B  
**Original Filing Basis** 1B  
**Owner** (APPLICANT) **Golden Temple** of Oregon, LLC LIMITED  
LIABILITY COMPANY OREGON 2545 Prairie Road Eugene  
OREGON 97402  
**Attorney of Record** Parna A. Mehrbani  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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# YOGI

Word Mark	YOGI
Goods and Services	IC 030. US 046. G & S: processed cereal-based food to be used as a breakfast food, snack food, or ingredient for making other foods
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77636305
Filing Date	December 18, 2008

**Current Filing Basis** 1B  
**Original Filing Basis** 1B  
**Owner** (APPLICANT) **Golden Temple** of Oregon, LLC LIMITED LIABILITY COMPANY OREGON 2545 Prairie Road Eugene OREGON 97402  
**Attorney of Record** Parna A. Mehrbani  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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# YOGI

Word Mark	YOGI
Goods and Services	IC 030. US 046. G & S: Tea and ready-to-drink tea. FIRST USE: 20081226. FIRST USE IN COMMERCE: 20081226
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77423965
Filing Date	March 17, 2008
Current Filing Basis	1A
Original Filing	1B

**Basis**

**Published for  
Opposition** July 1, 2008

**Registration  
Number** 3607292

**Registration Date** April 14, 2009

**Owner** (REGISTRANT) **Golden Temple** of Oregon, LLC LIMITED  
LIABILITY COMPANY OREGON 2545 Prairie Road Eugene  
OREGON 97402

**Attorney of Record** Parna A. Mehrbani

**Prior Registrations** 1980514

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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<b>Word Mark</b>	YOGI TEA
<b>Goods and Services</b>	IC 030. US 046. G & S: Tea. FIRST USE: 20070309. FIRST USE IN COMMERCE: 20070409
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	05.05.06 - Lotus flower 26.07.21 - Diamonds that are completely or partially shaded 26.07.28 - Diamond shapes (miscellaneous overall shape); Miscellaneous designs with overall diamond shape, including letters forming or comprising a diamond

**Trademark Search Facility Classification Code** SHAPES-COLORS-2 Design listing or lined for two colors  
 SHAPES-MISC Miscellaneous shaped designs  
 VEG Plant life such as trees, flowers, fruits, grains, nuts, wreaths, and leaves

**Serial Number** 77282834

**Filing Date** September 18, 2007

**Current Filing Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** March 11, 2008

**Registration Number** 3435101

**Registration Date** May 27, 2008

**Owner** (REGISTRANT) **Golden Temple** of Oregon, LLC LTD LIAB CO  
 OREGON 2545 Prairie Road Eugene OREGON 97402

**Attorney of Record** Michael A. Cohen

**Prior Registrations** 1980514

**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TEA" APART FROM THE MARK AS SHOWN

**Description of Mark** The color(s) brown and white is/are claimed as a feature of the mark. The mark consists of the stylized words "YOGI TEA" in the color white, with the design of a lotus flower in the color white above the "I" in the word "YOGI"; the surrounding background is a gradient of the color brown which is curved on the right and left edges and pointed at the top and bottom edges.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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Typed Drawing

Word Mark	YOGI TEA
Goods and Services	IC 030. US 046. G & S: tea. FIRST USE: 19830308. FIRST USE IN COMMERCE: 19830308
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	74578588
Filing Date	September 26, 1994
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	March 26 1996
Registration Number	1980514
Registration Date	June 18, 1996
Owner	(REGISTRANT) Yogi G, Inc. DBA The Yogi Tea Company CORPORATION CALIFORNIA 2445 PRAIRIE ROAD EUGENE OREGON 97402  (LAST LISTED OWNER) Golden Temple of Oregon, Inc. CORPORATION OREGON 2545 Prairie Road Eugene OREGON 97402
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Michael A. Cohen
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TEA" APART FROM THE MARK AS SHOWN
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20060928.
Renewal	1ST RENEWAL 20060928
Live/Dead Indicator	LIVE

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